

# **WHISTLEBLOWER POLICY FOR DUTCHESS COMMUNITY COLLEGE**

## **PURPOSE:**

Dutchess Community College, including the Dutchess Community College Association and the Dutchess Community College Foundation, through the College's Board of Trustees (collectively hereinafter referred to as the "College"), is committed to the highest standards of ethical, moral and legal conduct so as to serve our students and the Dutchess County community to the best of our ability. The College requires Trustees, Directors, Officers, employees, students, student leaders, volunteers and vendors to observe high standards of business and personal ethics in the conduct of their duties, responsibilities and College-related activities. Employees and representatives of the College must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

This Whistleblower Policy (hereinafter "the Policy") is intended to encourage and enable anyone to raise concerns about possible improper conduct, more fully described below. The Policy establishes procedures for the reporting and handling any knowledge of, or concerns regarding, action or suspected action taken by or within the College that is or may be illegal, fraudulent or in violation of any law, regulation or rule, or policy of the College.

The Policy applies to all employees of the College, who are encouraged to report acts or potential acts of alleged fraud, illegal activity, gross misconduct, irresponsible use of college resources, or dishonest conduct (hereinafter collectively referred to as "inappropriate conduct") to the attention of the College. Examples of inappropriate conduct include, but are not limited to:

- Being under the influence of any illegal narcotic or a prescription drug without a valid prescription ("illegal drugs") or alcohol while on duty
- Use of illegal drugs or alcohol at work
- Fighting
- Sexual harassment
- Stealing
- Subjecting any person to severe and/or pervasive discrimination
- Falsifying any business record, including time records
- Falsification of accounts
- Dereliction of a significant job duty or responsibility
- Bribery
- Gross insubordination/ disobedience
- Misappropriation
- Illicit use of personal information (identity theft)
- Destruction of College or personal property

## **REPORTING AND RESPONSIBILITY:**

College employees must report allegations of inappropriate conduct by a College employee to the College's Director of Human Resources, Vice President of Administration, President of the College, or member of the College's Board of Trustees.

All such allegations shall be brought to the attention of the President and shall remain confidential to the extent possible. The allegations should be made in writing and signed by the complainant, but no particular form is required to make the written report.

**INVESTIGATIONS:**

Allegations of inappropriate conduct shall be promptly investigated by the President or his/her designee. Upon completion of the investigation, findings and recommendations shall be presented to the College's Board of Trustees for appropriate action, which may include referral to the appropriate authorities if criminal activity is suspected.

The President and/or Board of Trustees has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of any report.

**NO RETALIATION:**

No person who in good faith reports an allegation of inappropriate conduct, shall suffer harassment, retaliation or adverse employment consequences. This Policy does not protect malicious or vindictive reporters who knowingly provide false information. This good faith standard protects those who make a report, even if that report turns out to be incorrect. If the reporter, given the facts they had at the time, believed that the inappropriate conduct they reported was true, they will be afforded protection from any retaliation or adverse conduct. Individuals making allegations inconsistent with the good faith standard may be subject to disciplinary action.

An employee who retaliates against someone who has reported an allegation of inappropriate conduct within the meaning of this Policy, may be subject to discipline up to and including termination from employment.

Approved by Board of Trustees Resolution #2017-26, dated December 13, 2016